

Message Text

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PAGE 01 GENEVA 04978 281319Z

42

ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 L-03 /026 W

----- 109583

R 281252Z JUN 75

FM USMISSION GENEVA

TO SECSTATE WASHDC 4144

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FOR EUR/RPM AND L/T

EO 11652: N/A

TAGS: CSCE, PFOR, XG

SUBJ: CSCE: RESOLUTION OF LEGAL PROBLEMS
IN ENVIRONMENT TEXT

REF: A) STATE 024119; B) GENEVA A 226, JUNE 7, 1974

1. WE HAVE BEEN AWARE FOR SOME TIME OF DEPARTMENT'S DESIRE TO AVOID LANGUAGE IN CSCE TEXTS WHICH COULD INDICATE THAT THE TEXTS WERE AGREEMENTS, AND THUS CONSTITUTED LEGALLY BINDING COMMITMENTS. AS NOTED BY DEPARTMENT IN REFTEL, THE MOST OBVIOUS EXAMPLES OF LANGUAGE WHICH COULD BE CONSTRUED AS BINDING ARE IN ENVIRONMENT TEXT. IN THAT TEXT, FORMULA "THE PARTICIPATING STATES AGREE" WAS PARTICULARLY TROUBLESOME.
2. AS PART OF FINAL CLEANUP OF REGISTERED TEXT ON ENVIRONMENT, WE MANAGED TO OBTAIN THE FOLLOWING SUBSTITUTIONS FOR VERB "AGREE" IN PARTS OF THE TEXT WHERE VERB WAS MOST HARMFUL (PAGE CITATIONS BELOW REFER TO DOCUMENT G128 TRANSMITTED REPAIR):
 - A. SECOND SENTENCE UNDER HEADING "LEGAL AND ADMINISTRATIVE MEASURES " ON PAGE FOUR NOW READS:
" THE PARTICIPATING STATES DECLARE THAT..." VICE
"...AGREE THAT..."
 - B. SENTENCE AT TOP OF PAGE 5 NOW READS: "THE PARTICIPATING STATES ARE RESOLVED THAT COOPERATION

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IN THE FIELD OF ENVIRONMENT WILL BE IMPLEMENTED IN

PARTICULAR AS FOLLOWS..." VICE"... AGREE THAT
COOPERATION..."

DALE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
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Concepts: LAW, LANGUAGE, ENVIRONMENTAL AGREEMENTS
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Decaption Date: 01 JAN 1960
Decaption Note:
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Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
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